only in name. See (1921) 30 YALE LAW JOURNAL, 527. While the majority of cases still deny contribution where the joint wrong was merely negligent, there is a strong and growing minority which allows contribution in all cases except of conscious or wilful wrongdoers. Cf. *Hobbs v. Hurley* (1918) 117 Me. 449, 104 Atl. 815.

TORTS—NEGLIGENCE—ATTRACTIVE NUISANCE.—The defendant maintained electric wires across the top of a bridge and about 24 feet above the roadway. There was evidence that small boys had, to the knowledge of the defendant, climbed up on the girders at the top of the bridge. The plaintiff, a boy of eight, climbed up there to get a pigeon's nest. He saw a pigeon on one of the defendant's wires and reached out to catch it. In so doing he touched a live wire and received the injuries for which this action was brought. *Held,* that the plaintiff could recover, on the ground that the wires, in connection with the surrounding circumstances, constituted an "attractive nuisance." *N. Y., N. H., & H. Ry. v. Fruchter* (Feb. 9, 1921) U. S. C. C. A. 2d, Oct. Term, 1920, Nos. 152-153.

The attractive nuisance doctrine does not apply where the property owner could not carry on his lawful business in the necessary and ordinary manner and at the same time safeguard trespassing children. See (1915) 25 YALE LAW JOURNAL, 84. If an electric wire on the top of a bridge 24 feet high is an attractive nuisance, it is difficult to see how a landowner can escape liability for any injury which trespassing children incur on his premises. On similar facts a recent well-considered case reached the opposite result. *Davis v. Malvern Lt. & Power Co.* (1919, Iowa) 173 N. W. 262, discussed in COMMENTS (1919) 29 YALE LAW JOURNAL, 223.

TORTS—RIGHT OF PRIVACY.—The plaintiff had presented the defendants' predecessors in title with a portrait bust of himself to be used as a trade-mark. The defendants later published the features of the bust placed on the body of a foppish figure for advertisement. The plaintiff obtained leave to serve a writ of summons upon the defendants in an action for an injunction to restrain this publication. The defendants' motion to set aside this writ was discharged by the lower court, and the defendants brought this appeal. *Held,* that the appeal be dismissed, since it had not been shown that the lower court had proceeded upon any wrong principle. *Dunlop Rubber Co., Ltd. v. Dunlop* (1920, H. L.) 37 T. L. R. 245.

The decision, in recognizing that the exhibition of these pictures "amounted to something which was at least capable of a defamatory meaning," seems to be enforcing what American courts term "the right of privacy." For an early discussion see Warren and Brandeis, *The Right to Privacy* (1890) 4 HARV. L. REV. 193. See also COMMENTS (1920) 29 YALE LAW JOURNAL, 450 (discussing the New York statute); COMMENTS (1919) 28 *id.* 269; COMMENTS (1910) 20 *id.* 149; COMMENTS (1908) 18 *id.* 123.